



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.:

DEX-0545

Inventors:

Macina et al.

Serial No.:

10/537,402

Filing Date:

June 12, 2006

Examiner:

Not Yet Assigned

Customer No.:

32800

Group Art Unit:

1645

Confirmation No.:

2095

Title:

Compositions, Splice Variants  
and Methods Relating to colon  
Specific Genes and Proteins

I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

On this date: September 8, 2006

  
Kathleen A. Tyrrell, Registration No. 38,350

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REQUEST FOR CORRECTED FILING RECEIPT**

Enclosed for your information is a copy of the Filing Receipt issued by the PTO with respect to the above-identified application. You will note that the following items require correction:

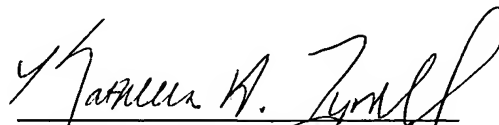
In the Domestic Priority data as claimed by applicant:

Please delete "(\*) Data provided by applicant is not consistent with PTO records".

Attached are copies of: (1) Cover page of PCT application number PCT/US2003/040063 filed December 4, 2003 of which the present application is a National Stage filing under 35 U.S. C. 371; (2) Filing Receipt and return post card date stamped by the PTO for Provisional Application 60/431,132 filed December 4, 2002 (Our Ref. DEX-0349); and (3) Filing Receipt and return post card date stamped by the PTO for Provisional Application 60/431,144 filed December 4, 2002 (Our Ref. DEX-0357); all of which reflect and confirm that the correct Domestic Priority data is presented in the Filing Receipt.

Since this appears to be an error on the part of the United States Patent and Trademark Office, it is respectfully requested that a corrected filing receipt be issued in this case.

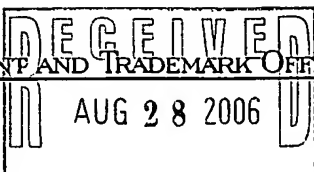
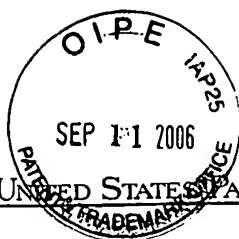
Respectfully submitted,

  
Kathleen A. Tyrrell  
Registration No. 38,350

Date: September 8, 2006

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	RV FEE REG'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/537,402	06/12/2006	1645	1480	DEX-0545		18	3

32800  
LICATA & TYRRELL P.C.  
66 E. MAIN STREET  
MARLTON, NJ 08053

Docket System ☒  
Status Report ☒  
Docket Book ☐

CONFIRMATION NO. 2095

## FILING RECEIPT



\*OC000000020141024\*

Date Mailed: 08/24/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Roberto A Macina, San Jose, CA;  
Leah R. Turner, Sunnyvale, CA;  
Yongming Sun, Redwood City, CA;

**Power of Attorney:** The patent practitioners associated with Customer Number 32800.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/40063 12/04/2003  
which claims benefit of 60/431,132 12/04/2002  
and claims benefit of 60/431,144 12/04/2002

~~(\*)Data provided by applicant is not consistent with PTO records.~~

## Foreign Applications

If Required, Foreign Filing License Granted: 08/22/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/537,402**

Projected Publication Date: 11/30/2006

Non-Publication Request: No

Early Publication Request: No

**Title**

Compositions, splice variants and methods relating to colon specific genes and proteins

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
17 June 2004 (17.06.2004)

PCT

(10) International Publication Number  
**WO 2004/050860 A2**

(51) International Patent Classification<sup>7</sup>:

C12N

(74) Agents: LICATA, Jane, Massey et al.: Licata & Tyrrell  
P.C., 66 East Main Street, Marlton, NJ 08053 (US).

(21) International Application Number:

PCT/US2003/040063

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(22) International Filing Date: 4 December 2003 (04.12.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/431,132 4 December 2002 (04.12.2002) US  
60/431,144 4 December 2002 (04.12.2002) US

(84) Designated States (*regional*): ARIPO patent (BW, GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(71) Applicant (*for all designated States except US*): DI-  
ADEXUS, INC. [US/US]; 343 Oyster Point Boulevard,  
South San Francisco, CA 94080 (US).

(72) Inventors; and

(75) Inventors/Applicants (*for US only*): MACINA, Roberto,  
A. [AR/US]; 4118 Crescendo Avenue, San Jose, CA 95136  
(US). TURNER, Leah, R. [US/US]; 939 Rosette Court,  
Sunnyvale, CA 94086 (US). SUN, Yongming [CN/US];  
551 Shoal Drive, Redwood City, CA 94065 (US).

**Published:**

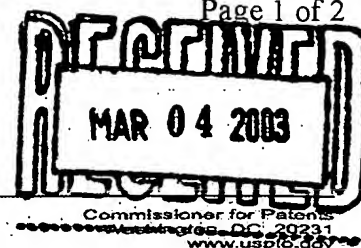
— without international search report and to be republished  
upon receipt of that report

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

WO 2004/050860 A2

(54) Title: COMPOSITIONS, SPLICE VARIANTS AND METHODS RELATING TO COLON SPECIFIC GENES AND PROTEINS

(57) Abstract: The present invention relates to newly identified nucleic acid molecules and polypeptides present in normal and neoplastic colon cells, including fragments, variants and derivatives of the nucleic acids and polypeptides. The present invention also relates to antibodies to the polypeptides of the invention, as well as agonists and antagonists of the polypeptides of the invention. The invention also relates to compositions containing the nucleic acid molecules, polypeptides, antibodies, agonists and antagonists of the invention and methods for the use of these compositions. These uses include identifying, diagnosing, monitoring, staging, imaging and treating colon cancer and non-cancerous disease states in colon, identifying colon tissue, monitoring and identifying and/or designing agonists and antagonists of polypeptides of the invention. The uses also include gene therapy, production of transgenic animals and cells, and production of engineered colon tissue for treatment and research.



APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/431,132	12/04/2002		160	DEX-0349			

Licata & Tyrrell  
66 East Main Street  
Marlton, NJ 08053

CONFIRMATION NO. 6856

**FILING RECEIPT**



\*OC000000009574371\*

Date Mailed: 02/27/2003

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Roberto Macina, San Jose, CA;  
Leah R. Turner, Sunnyvale, CA;  
Yongming Sun, Redwood City, CA;

If Required, Foreign Filing License Granted: 02/27/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

**Title**

Compositions and methods relating to colon specific genes and proteins

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



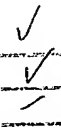
RECEIVED BY THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicant (s): Macina et al.  
Title: Compositions and Methods Related to Colon Specific  
Genes and Proteins  
Serial No.: Not yet assigned  
Filed: Herewith  
Docket No.: DEX-0349  
Date Sent: 4 December 2002

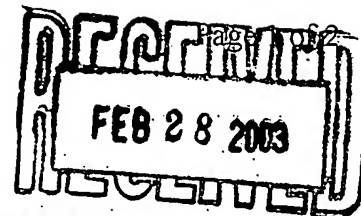


- Paper: ☐ Provisional Patent Application Transmittal Letter (in duplicate); authorization to charge deposit account \$160.00 for filing fee  
☐ Provisional Application including 145 pages total  
☐ Certification of Express Mailing ET 657 238 023 US.

Docket System  
Status Report  
Docket Book







Commission of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/431,144	12/04/2002		160	DEX-0357			

CONFIRMATION NO. 6858

Licata & Tyrrell  
66 East Main Street  
Marlton, NJ 08053

**FILING RECEIPT**



\*OC000000009552302\*

Date Mailed: 02/24/2003

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Roberto Macina, San Jose, CA;  
Leah R. Turner, Sunnyvale, CA;  
Yongming Sun, Redwood City, CA;

If Required, Foreign Filing License Granted: 02/24/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

**Title**

Compositions and methods relating to colon specific genes and proteins

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

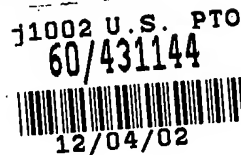
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

RECEIVED BY THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicant (s): Macina et al.  
Title: Compositions and Methods Related to Colon Specific  
Genes and Proteins  
Serial No.: Not yet assigned  
Filed: Herewith  
Docket No.: DEX-0357  
Date Sent: 4 December 2002



- Paper: ☐ Provisional Patent Application Transmittal Letter (in duplicate); authorization to charge deposit account \$160.00 for filing fee  
☐ Provisional Application including 248 pages total  
☐ Certification of Express Mailing ET 657 238 023 US.

Docket System  
Status Report  
Docket Book

